

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 19 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 6-2.3-3-5 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Gross
5 receipts do not include a wholesale sale to another generator or reseller
6 of utility services.
7 (b) A sale is a retail sale if the taxpayer sells utility services to a
8 buyer that subsequently makes a sale described in IC 6-2.3-4-5.
9 (c) **A sale of utility services is a wholesale sale if the utility**
10 **services are natural gas and the buyer consumes the natural gas in**
11 **the direct production of electricity to be sold by the buyer."**
12 Page 6, line 42, strike "that is not a college choice 529 education
13 savings" and insert "**or to any other similar**".
14 Page 15, delete lines 32 through 35, begin a new paragraph and
15 insert:
16 **"(b) The department and the office of management and budget**
17 **shall:**
18 **(1) develop a monthly report that summarizes the information**
19 **obtained by the department under section 4.1(h) of this**
20 **chapter, section 15.7(a)(3) of this chapter, IC 6-3.5-1.1-18(c),**
21 **IC 6-3.5-6-22(c), IC 6-3.5-7-18(c), and IC 6-3.5-8-22(c);**
22 **(2) make the monthly report available to county auditors; and**
23 **(3) maintain the information referred to in subdivision (1) for**
24 **all payments made toward a taxpayer's annual income tax**
25 **liability."**

- 1 Page 18, delete lines 19 through 42.
- 2 Delete pages 19 through 21.
- 3 Page 22, delete lines 1 through 18.
- 4 Renumber all SECTIONS consecutively.
(Reference is to SB 19 as printed January 17, 2008.)

Senator KENLEY